



2855

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August 13, 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUBJECT: Applicant: Yi Liu
 Serial No: 09/702,074
 Filed: October 30, 2000
 For: ANTI-PARALLEL TAG FLOW MEASUREMENT
 SYSTEM
 Examiner: Martir, Lilybett
 Group: 2855
 Docket No: PAN-147J

Dear Sir:

Enclosed is a Statement of the Substance of the Interview of July 16, 2003.

If for any reason this Statement of the Substance of the Interview is found to be INCOMPLETE, or if at any time it appears that a TELEPHONE CONFERENCE with counsel would help advance prosecution, please telephone the undersigned or his associates, collect in Waltham, Massachusetts at (781) 890-5678.

In addition, pursuant to Rule 1.136(a)(3), the Office is hereby authorized to treat any future reply requiring an extension of time as incorporating a request therefor. Also, any request or Petition for an Extension of Time notwithstanding an inadvertent reference in the Petition to a shorter period of time is to be treated as requesting the appropriate length of time.

Kindly acknowledge receipt of the foregoing by returning the enclosed self-addressed postcard.

Sincerely,

Thomas E. Thompkins, Jr.
Reg. No. 47,136

TET:lr
Enclosures

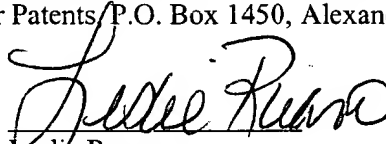
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Yi Liu	Group:	2855
Serial No:	09/702,074	Examiner:	Lilybett Martir
Filed:	October 30, 2000	Docket No:	PAN-147J
For:	ANTI-PARALLEL TAG FLOW MEASUREMENT SYSTEM		

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Leslie Ruano

STATEMENT OF THE SUBSTANCE OF THE INTERVIEW

On July 16, 2003, Examiner Martir, together with Examiner Patel, conducted a telephone interview regarding the June 10, 2003 Office Action to explore possible resolution of the issues raised in the Office Action.

The parties discussed the *Sheen et al.* and *Donelan et al.* references particularly, and mainly in connection with the applicants' independent claims. The undersigned asserted that *Sheen et al.* teaches away from the applicants' claimed invention by teaching parallel, not anti-parallel ultrasonic paths and use of a decoupler to reduce cross-talk noise in the conduit. The undersigned asserted that *Donelan et al.* teaches away from the applicants' claimed invention by teaching that the transducers are in the fluid to be measured with ultrasonic paths in the direction

of fluid motion and against the direction of fluid motion. This is in contrast to the applicants claimed invention having ultrasonic signals across the fluid using anti-parallel tag flow measurement. Also, *Donelan et al.* does not teach reduction of cross-talk, because indeed *Donelan et al.*'s transducers are in the fluid, there is no cross-talk in the conduit. Also, neither reference teaches anti-parallel tag flow measurement, in contrast to the applicants' claimed invention. In that connection, the undersigned pointed out that while the applicants' claimed anti-parallel tag flow measurement requires two paths, *Donelan et al.* teaches an alternative embodiment of only one path, suggesting an entirely different system that one skilled in the art would not look to combine with, for example, *Sheen et al.* Further, one would not combine *Sheen et al.* and *Donelan et al.* because they teach away from each other. *Sheen et al.* teaches transducers outside of the conduit, while *Donelan et al.* teaches the transducers inside the fluid.

Examiner Patel raised questions concerning the *Bruner* reference, and the undersigned attempted to answer those questions. The undersigned also referred the Examiner to the applicants' Response to the February 13, 2002 Office Action, where the differences between *Bruner* and the applicants' claimed invention were outlined more completely. The undersigned also pointed out that *Bruner* teaches away from the applicants' claimed invention because it teaches phase modulation rather than anti-parallel tag flow measurement. The Examiner asked questions concerning method versus apparatus, and the undersigned attempted to explain that that the undersigned was not arguing method with respect to the system claims, but rather that one skilled in the art would not look to references containing such diverse theories in order to formulate the claimed system; and tried to explain that it is more than just a matter of taking parts from references with fundamentally different and divergent theories.

The parties briefly discussed the *Itoh et al.* reference, where the undersigned pointed out

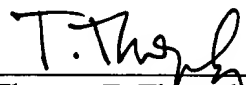
that it teaches away from the applicants' claimed invention of anti-parallel paths for reduction of cross-talk, because *Itoh et al.* teaches deep grooves in the pipe structure to reduce cross-talk. Examiner Martir stated that she had used *Itoh et al.* only for a limited purpose associated with a rejection.

At the end of the telephone conference Examiner Martir stated that in her opinion the claimed structure was anticipated by the references, and the independent method claim was broad. No agreement regarding the claims was reached, and Examiner Martir maintained the rejections.

The undersigned again thanks the Examiners for their time and attention.

If for any reason this Statement is found to be incomplete, or if at any time it appears that a telephone conference with counsel would help advance prosecution, please telephone the undersigned or his associates, collect in Waltham, Massachusetts at (781) 890-5678.

Respectfully submitted,



Thomas E. Thompson, Jr.
Reg. No. 47,136